

REMARKS

Applicants respectfully submit the Substitute Specification to resolve the inconsistencies noted by the “Notice of Drawing Inconsistency with Specification” dated February 24, 2005.

Applicants respectfully assert that the Substitute Specification includes no new matter. Here, the specification includes a true copy of pages 2-112 of prior Application No. 08/890,576.

Moreover, Applicants respectfully note that section 16 of the “Utility Patent Application Transmittal” states, in part, “[t]he entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.” Thus, prior Application No. 08/890,576 was incorporated by reference.

The first page (i.e., page 1) of the Substitute Specification provides a cross-reference to related applications conforming to that of the Amendment filed July 23, 2004. In addition, page 1 of the substitute specification and the present amendment amends the title of the invention to a title similar to that provided by the USPTO in the Notice of Allowance dated October 19, 2004 except that informalities were corrected and the word “portable” was omitted. Further, the substitute specification re-orders the inventors as provided on the substitute declaration filed July 19, 2001.

It is further noted that, on July 2, 1999, Applicants had intended to file a true copy (i.e., a photocopy) of prior Application No. 08/890,576. However, due to an apparent clerical error, a specification other than a true copy was filed. This clerical error was discovered upon review of the “Notice of Drawing Inconsistency with Specification” mailed February 24, 2005.

In view of the foregoing, Applicants respectfully request entry of this Amendment and the timely allowance of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees under 37 C.F.R. §§ 1.66 and 1.77 which may be required, including any required extension of time, fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted.

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